

COTTONE & MOON
 EDWIN R. COTTONE, ESQ. (SBN 222689)
 PRISCILLA MOON, ESQ. (SBN 220819)
 5000 BIRCH STREET, SUITE 3000
 NEWPORT BEACH, CA 92660
 TELEPHONE: (949) 260-2004
 FACSIMILE: (949) 861-9922
 EMAIL: ed@cottonemoon.com

**UNITED STATES DISTRICT
 FOR THE CENTRAL DISTRICT OF CALIFORNIA**

CAROLINE B. WILLIAMS, as Trustee of the)
 CAROLINE WILLIAMS CHARITABLE)
 REMAINDER UNITRUST, a California Trust;)
 and BLACK & WILLIAMS FAMILY)
 LIMITED PARTNERSHIP, a Nevada limited)
 partnership,)
)
 Plaintiffs,)
)
 vs.)
)
 WELLS FARGO BANK, N.A., a foreign)
 incorporated entity; and THE VANGUARD)
 GROUP, INC., a foreign corporation; and)
 DOES 1 through 10,)
)
 Defendants.)

Case No. SACV13-01310 DOC (AGRx)

**JOINT STIPULATION OF DISMISSAL
 OF ALL CLAIMS WITHOUT
 PREJUDICE**

COTTONE & MOON
 LITIGATION ATTORNEYS

COTTONE & MOON
LITIGATION ATTORNEYS

1 Pursuant to Federal Rule of Civil Procedure 41(a)(1)(A)(ii), Plaintiffs the Black &
 2 Williams Family Limited Partnership and Caroline B. Williams, as Trustee of the Caroline
 3 Williams Charitable Remainder Unitrust (collectively, "**Plaintiffs**"), and Defendants Wells
 4 Fargo Bank, N.A. and The Vanguard Group, Inc. (collectively, "**Defendants**"), file this Joint
 5 Stipulation of Dismissal of All Claims Without Prejudice, and show as follows:

6
 7 1. On July 23, 2013, Plaintiffs filed Case No. 30-2013-00663878-CU-BT-CJC in the
 8 Superior Court for the State of California for the County of Orange, asserting claims against
 9 Defendants and ten (10) unidentified "Does" for (a) declaratory relief; (b) conversion; (c)
 10 trespass to chattels/personal property; (d) intentional interference with contractual relations; (e)
 11 intentional interference with prospective economic advantage; and (f) abuse of process.

12 2. On August 23, 2013, Defendant Wells Fargo Bank, N.A. removed the case to this
 13 Court. *See* Docket No. 1. Defendants separately filed answers on August 30, 2013. *See* Docket
 14 Nos. 4 and 5. The ten "Does" were never served with citation or summons and are not parties to
 15 this case. The complaint filed by Plaintiffs in state court on July 23, 2013 is the live complaint in
 16 this case.

17 3. Plaintiff now wishes to voluntarily dismiss all claims asserted in this case without
 18 prejudice to re-filing. Defendants have not asserted any claims in this lawsuit. Pursuant to
 19 Federal Rule of Civil Procedure 41(a)(1)(A)(ii), the filing of this joint stipulated dismissal
 20 dismisses all claims without prejudice immediately upon filing without any further order by the
 21 Court. *See Swedberg v. Marotzke*, 339 F.3d 1139, 1142 (9th Cir. 2002).

22 ///

23 ///

24 ///

25 ///

26 ///

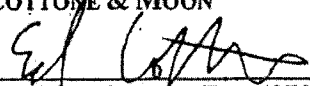
27 ///

28 ///

1 4. The parties further stipulate that each party shall bear its own costs and fees
2 incurred in connection with this lawsuit.

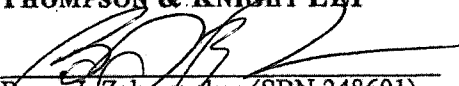
3 *October*
4 Dated: ~~September~~ *1*, 2013

6 **COTTONE & MOON**

7 
8 Edwin R. Cottone, Esq. (SBN 222689)
9 Prascilla Moon, Esq. (SBN 220819)
10 5000 Birch Street, Suite 3000
11 Newport Beach, CA 92660
12 Telephone: (949) 260-2004
13 Facsimile: (949) 861-9922
14 Email: ed@cottonemoon.com

15 ATTORNEYS FOR PLAINTIFFS


6 **THOMPSON & KNIGHT LLP**

7 
8 Bruce J. Zabarauskas (SBN 248601)
9 10100 Santa Monica Blvd., Suite 950
10 Los Angeles, CA 90067
11 Telephone (310) 203-6902
12 Facsimile (310) 203-6980
13 Email: Bruce.Zabarauskas@tklaw.com

15 ATTORNEYS FOR DEFENDANT

16 WELLS FARGO BANK, N.A.

17 **PERKINS COIE LLP**

18 
19 James G. Bernald (SBN 205519)
20 1888 Century Park East, Suite 1700
21 Los Angeles, CA 90067-1721
22 Telephone: (310) 788-9900
23 Facsimile: (310) 788-3399
24 Email: JBernald@perkinscoie.com

25 ATTORNEYS FOR DEFENDANT
26 THE VANGUARD GROUP, INC.

COTTONE & MOON
LITIGATION ATTORNEYS